

HOUSE BILL NO. 446

INTRODUCED BY R. MAEDJE

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V OF THE MONTANA CONSTITUTION ALLOWING THE LEGISLATURE TO DELEGATE TO A LEGISLATIVE COMMITTEE THE AUTHORITY TO SUSPEND THE APPLICATION OR ENFORCEMENT OF AN EXECUTIVE BRANCH ADMINISTRATIVE RULE WHEN THE LEGISLATURE IS NOT IN SESSION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1.** Article V of The Constitution of the State of Montana is amended by adding a new section 15 that reads:

Section 15. Authority to suspend administrative rules. (1) The legislature may suspend the application or enforcement of an executive branch administrative rule when the legislature is not in session.

(2) The legislature may delegate its authority under subsection (1) to a committee of legislators and may statutorily provide that the application or enforcement of an executive branch administrative rule may be suspended if the committee of legislators believes that the administrative rule or the application or enforcement of the rule is inconsistent with the intent of the legislature when the governing law was enacted.

NEW SECTION. **Section 2. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2006 by printing on the ballot the full title of this act and the following:

[] FOR allowing the legislature to delegate to a legislative committee authority to suspend an executive branch administrative rule when the legislature is not in session.

[] AGAINST allowing the legislature to delegate to a legislative committee authority to suspend an executive branch administrative rule when the legislature is not in session.

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